IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF   :   Karen Gibson

FOR   :   Method of Treatment

SERIAL NO.   :   10/053,962

FILED   :   01/22/2002

EXAMINER   :   James H. Reamer

ART UNIT   :   1614

LAST OFFICE ACTION   :   September 13, 2002

ATTORNEY DOCKET NO.   :   330499-00007

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned as of March 13, 2003, for failure to

file a timely and proper reply to an Office Action by the United States Patent and Trademark

Office dated September 13, 2002.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed herewith, please find the following:

1) Petition Fee in the amount of $1,300.00 pursuant to 37 CFR 1.17(m), [applicant claims large entity status]:

2) Response to Office Action dated September 13, 2002; and

3) Statement that the entire delay was unintentional.

03/03/2003 SLUANG1 00000035 10053962

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OFFICE OF PETITIONS

Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.
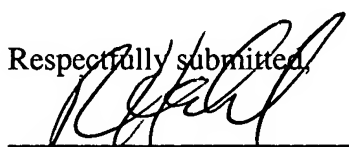
STATEMENT

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

REMARKS

It is respectfully requested that this Petition for Revival of an Application for Patent Abandoned Unintentionally be granted. Attached is a check in the amount of $1,300.00 for payment of the Petition under 37 C.F.R. 1.17(m). The Commissioner is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 50-170.

Respectfully submitted,

Gilberto M. Villacorta, PH.D.
Registration No. 34,038

Robert W. Hahl, PH.D.
Registration No. 33,893

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Date: September 2, 2003

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PTO/SB/17 (10-02)
Approved for use through 10/31/2002. OMB 0651-0032
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL
for FY 2003
Patent fees are subject to annual revision.

Complete if Known	
Application Number	10/053,962
Filing Date	01/22/2002
First Named Inventor	Karen Gibson
Examiner Name	James H. Reamer
Group Art Unit	1614
Attorney Docket No.	330499.00007

[ ] Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 1,300.00

METHOD OF PAYMENT *(check all that apply)*

[X] Check [ ] Credit Card [ ] Money Order [ ] Other [ ] None

[ ] Deposit Account

Deposit Account Number: **50-170**

Deposit Account Name: **KATTEN MUCHIN ZAVIS ROSENMAN**

The Commissioner is hereby authorized to: *(check all that apply)*

[ ] Charge fee(s) indicated below   [X] Credit any overpayments

[X] Charge any additional fee(s) during the pendency of this application

[ ] Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1001	740	2001	370	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	510	2003	255	Plant filing fee	
1004	740	2004	370	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
				SUBTOTAL (1) ($)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	- 20 =		x 18 =	
Independent Claims	- 3 =		x 84 =	
Multiple Dependent			280.00 =	

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) ($)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity			
Fee Code	Fee ($)	Fee Code	Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for *ex parte* reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	400	2252	200	Extension for reply within second month	
1253	920	2253	460	Extension for reply within third month	
1254	1,440	2254	720	Extension for reply within fourth month	
1255	1,960	2255	980	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,280	2453	640	Petition to revive - unintentional	1300
1501	1,280	2501	640	Utility issue fee (or reissue)	
1502	460	2502	230	Design issue fee	
1503	620	2503	310	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	740	2809	370	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	740	2810	370	For each additional invention to be examined (37CFR 1.129(b))	
1801	740	2801	370	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)			3.00	Advance order copies of patent	

*Reduced by Basic Filing Fee Paid   **SUBTOTAL (3)** ($) 1,300

SUBMITTED BY

		Complete *(if applicable)*		
Name (Print/Type)	Robert W. Hahl for Gilberto M. Villacorta, PH.D. Registration No. 34,038	Registration No. (Attorney/Agent)	33,893	Telephone 202.625.3500
Signature			Date	September 2, 2003